

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF Faris et al.

Serial No. TBD

Filed: June 11, 2001

Group Art Unit: TBD

Title: METHOD FOR MANUFACTURING 3D IMAGE DISPLAY BODY

Examiner: TBD

Attorney Docket VREX-0022USANO00

PETITION FOR RETROACTIVE LICENSE

(35 CFR 5.25)

Commissioner of Patents
(Attention Licensing & Review)
Washington DC 20231

Honorable Sir:

This petition for a retroactive license is being filed for the above-identified application under 35 USC 184 and CFR 5.25.

A Japanese licensee on behalf of the inventors previously filed the material for the above application in Japan and Korea. The filing particulars are:

Japan Serial Number 11-214373 July 28, 1999

Japan Serial Number 2000-174889 June 7, 2000

Japan Laid open # 2001-100150 April 13, 2001

Korea Serial Number 10-2001-0002878 January 18, 2001

Copies of the 1707889 Japanese application and a translation are attached. The material in the 1999 application is essentially the same.

DECLARATION

This is a declaration and averment that the subject matter was not under a secrecy order at the time it was filed abroad, and that it is not currently under secrecy order.

The undersigned learned of the existence of the Japanese applications on or about January 21, 2000 from two of the inventors, David Swift and Adam Divelbiss upon their return from visiting Arizawa Corporation in Japan. Arizawa Corporation is a licensee of certain micropolarizer technology from VRex Inc., the prospective assignee of the above-identified application. I was informed at that time that the Japanese applications had

been filed in June 2000. After some effort, I obtained Japanese versions of the application and had it translated into English. A copy of the original Japanese and the translation are enclosed.

In the process of preparing the above identified US application I learned from Mr. Takeshi Yoshii, the Japanese Patent Attorney that represents Arizawa of the 1999 Japanese filing and the Korean filing identified above. This is to aver that I nor any employee of VREX Inc. or Reveo Inc. (VREX's parent) had any knowledge of these filings until January 2001.

The Japanese inventors and the Arizawa Corporation first learned of the technology identified in these applications as the result of meetings in the United States at the headquarters of Reveo, Inc. That took place on or about April 1999. Despite regular contacts between Reveo and VREX employees with Arizawa employees, the US inventors and the assignee had no knowledge of the foreign filings prior to 2001.

The undersigned further avers that the Japanese and Korean filings without the knowledge of the US inventors, was an error on the part of the Japanese inventors and they were done without any deceptive intent by any of the parties. As outlined above, the US inventors had no knowledge of these filings prior to January of this year.

Please charge Deposit Account 501648 the fee under 37 CFR 1.17(h) (\$130.00)

The undersigned respectfully submits that there has been a showing of facts beyond a mere allegation of action through error and without deceptive intent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued therein.

The applicants respectfully request that a Retroactive Foreign License be granted for the above-identified application.

Respectfully submitted,

[Signature]

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